

IN THE CIRCUIT COURT OF CHOCTAW COUNTY, MISSISSIPPI

VERBIE ROGERS

PLAINTIFF

VS.

CIVIL ACTION NO. 2022-017-CV-M

DOLLAR GENERAL, INC. and
JOHN DOES 1-100

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
CHOCTAW COUNTY

TO: Dollar General, Inc.
c/o its Registered Agent, Corporation Service Company
7716 Old Canton Road
Suite C
Madison MS 39110

NOTICE TO DEFENDANT

**THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint to Rebecca A. Keith, the attorney for the Plaintiff, whose address is Schwartz & Associates, P.A., Post Office Box 3949, Jackson, Mississippi 39207-3949.

Your response must be mailed or delivered within **thirty (30) days** from the date of delivery of this summons and complaint or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the 11th day of April, 2022.

CIRCUIT CLERK
CHOCTAW COUNTY, MISSISSIPPI

By: Vyn Miller

DEPUTY CLERK

{SEAL}



EXHIBIT

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COMPLAINT
(Trial by Jury Requested)

COMES NOW the Plaintiff, VERBIE ROGERS, by and through her counsel and files this Complaint against the Defendants, Dollar General, Inc. and John Does 1-100, and in support thereof, would show unto this Honorable Court the following, to-wit:

I. Parties

1. The Plaintiff, Verbie Rogers, is an adult resident citizen of Choctaw County, who resides at 884 Bellwood Road, Ackerman, Mississippi 39735.
2. The Defendant, Dollar General, Inc., is a corporation registered to do business in the State of Mississippi and has appointed Corporation Service Company as its registered agent for process who may be served at 7716 Old Canton Road, Suite C, Madison, MS 39110.
3. John Does 1-100 have yet to be determined.

II. Jurisdiction and Venue

4. This court has jurisdiction over the subject matter, and over the parties, and it is the proper venue as the slip and fall accident at issue occurred in Choctaw County, Mississippi.

FILED

APR 11 2022

AMY BURDINE, CIRCUIT CLERK
BY [Signature] D.C.

III. Facts

5. That on or about June 18, 2020, the Plaintiff was shopping at the Dollar General store in Ackerman, Mississippi. The Plaintiff, exercising due care for her own safety, was shopping in said Dollar General Store, and she slipped and fell from an unknown clear liquid substance on the floor. No warning signs were present around the area in which Plaintiff slipped and fell. Plaintiff's mother notified the cashier associate that Plaintiff had fallen, and the cashier associate told Plaintiff's mother that she knew about the liquid substance on the floor but had not had the time to clean said area because they had been busy. As a result of the unknown liquid substance on the floor, Plaintiff slipped and fell causing injuries to the Plaintiff.

6. The Defendant had a duty to use reasonable care to keep the premises in a reasonably safe condition, and to warn persons, such as the Plaintiff, of dangerous conditions on the premises.

IV. Negligence

7. Plaintiff restates and re-avers all of her preceding allegations as if rewritten herein.

8. The dangerous condition of the liquid substance on the floor was caused by the negligence of the Defendant and unknown Defendant's employee/s. Further, the Defendant failed to provide reasonable and adequate warning to the Plaintiff. The Defendant had actual and constructive notice of the unreasonably dangerous condition of the liquid substance on the floor. Accordingly, the Defendant breached each of the aforementioned duties, and was therefore negligent.

V. Damages

9. Plaintiff restates and re-avers all of her preceding allegations as if rewritten herein.

10. That Plaintiff would further state that as a direct and proximate result of the hereinabove acts of negligence and breaches of legal duties owed to her by the Defendant, she has suffered damages including, but not limited to, the following:

- a) Past, present and future physical pain and suffering,
- b) Hospital bills, doctor bills, prescription drug bills and other medical and medical-related expenses which have been incurred and which will continue to be incurred in the future;
- c) Temporary physical impairment and disability; and
- d) Loss of enjoyment of life.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that a judgment of, from and against the defendants in an amount of \$250,000.00 which will fairly and adequately compensate plaintiff for her injuries, damages, and losses past against the defendants herein. Further, plaintiff prays that the Court will award her interest as permitted by law, costs of this suit, expert witness fees, and for whatever and further relief as to this Court may deem just and proper.

RESPECTFULLY SUBMITTED this the 6 day of April, 2022.

VERBIE ROGERS, Plaintiff

BY:


REBECCA A. KEITH (MSB NO. 101244)

OF COUNSEL:
SCHWARTZ & ASSOCIATES, P.A.
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